

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PTT, LLC, a Delaware Limited Liability Company d/b/a High 5 Games,

Plaintiff / Counterclaim Defendant,

v.

GIMME GAMES, et al.,

Defendants.

Civil Action No.: 13-7161 (JLL)

ORDER

LINARES, District Judge.

This matter comes before the Court by way of a motion to dismiss [CM/ECF No. 51] Plaintiff's Amended Complaint ("FAC") [CM/ECF No. 32] pursuant to Federal Rule of Civil Procedure 12(b)(6) by Defendants Gimme Games, an entity; Daniel Marks, an individual; Joseph Masci, an individual; Brian Kavanagh, an individual; Marks Studios, LLC, an entity; and Aristocrat Technologies, an entity; (collectively, "Defendant"). No oral argument was heard pursuant to Rule 78 of the Federal Rules of Civil Procedure. For the reasons set forth in the Court's corresponding Opinion dated November 6, 2014,

IT IS on this **6th day of November, 2014**,

ORDERED that the Defendant's motion to dismiss the induced infringement claim is granted. This claim is dismissed **without prejudice**. Plaintiffs may amend their Complaint to correct the pleading deficiencies **on or before December 6th, 2014**; and it is further

ORDERED that Defendant's motion to dismiss Plaintiffs claims for Trade Secret misappropriation, breach of contract, unfair competition, and direct patent infringement is denied.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge